

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER MONTGOMERY : CIVIL ACTION

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vs.

:

POLICE OFFICER :  
DAVID KILLINGSWORTH : NO. 13cv256

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ALEXINE FLECK : CIVIL ACTION

:

vs.

:

POLICE OFFICER ALEX NICHOLSON :

:

and

:

POLICE OFFICER JANE DOE : NO. 13cv3081

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COULTER LOEB : CIVIL ACTION

:

vs.

:

POLICE OFFICER :  
GEORGE J. GASPAR, JR. : NO. 13cv3082

**O R D E R**

**AND NOW**, this 21st day of January, 2015, upon consideration of the Joint Motion of Defendants Killingsworth, Nicholson, Doe and Gaspar for Partial Summary Judgment asserting qualified immunity on the First Amendment Retaliation Claims (Document No. 28), plaintiffs' response, and defendants' reply, **IT IS HEREBY ORDERED** that the motion is **GRANTED IN PART** as follows:

1. Judgment is entered in favor of defendant David Killingsworth and against plaintiff Christopher Montgomery in Civil Action 13cv256 on Count I (First Amendment Retaliation) **ONLY**.

2. Judgment is entered in favor of defendant George J. Gaspar, Jr. and against plaintiff Coulter Loeb in Civil Action 13cv3082 on Count I (First Amendment Retaliation) **ONLY**.
3. The balance of the motion is **DENIED**.
4. Civil Actions 13cv3081 and 13cv3082 are returned to the Honorable Legrome D. Davis and Stewart Dalzell respectively for disposition.
5. The court will issue a separate scheduling order for disposition of Civil Action 13cv256.

s/William H. Yohn Jr.  
William H. Yohn Jr., Judge